

REMARKS

Applicant hereby requests further consideration of the application in view of the amendments above and the comments that follow.

Status of the Claims

Claims 1-3 and 7-16 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-33 of U.S. Patent No. 6,701,760 to Elliason (Elliason '760). Claims 4-6 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-33 of Elliason '760 in view of U.S. Patent No. 4,292,995 to Mazzola (Mazzola). Claims 1, 17 and 18 stand rejected under Section 102(b) as being anticipated by U.S. Patent No. 519,605 to Von Hunefeld (Hunefeld). Claims 1, 17 and 18 stand rejected under Section 102(b) as being anticipated by 1,458,864 to Upton (Upton). Claims 4-6 stand rejected under Section 103(a) as being unpatentable over U.S. Patent No. 3,507,259 to Lankford (Lankford) in view of Mazzola. Claim 19 stands rejected under Section 103(a) as being unpatentable over Hunefeld in view of Lankford.

The Claims as Amended Are in Condition for Allowance

The Action indicates that Claims 2, 3 and 7-16 would be allowable if the double patenting rejection were overcome. Applicant submits herewith a *Terminal Disclaimer under 37 C.F.R. § 1.321(a)* with respect to U.S. Patent No. 6,701,760 to Elliason. Accordingly, Applicant respectfully submits that the double patenting rejection has been overcome. Claims 1 and 10 have been amended to overcome the objections set forth in the Action. Claims 1 and 4 have been amended to depend from Claim 2. Claims 5 and 6 depend from Claim 4 as amended. Accordingly, Claims 1-16 as amended are clearly in condition for allowance.

The foregoing amendments (including the cancellations) are made without prejudice to Applicants' right to file a continuation or continuation-in-part application directed to the subject matter of the amended claims. The claim amendments are intended for the purpose of expediting issuance of a patent directed to the subject matter of the claims as amended

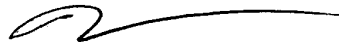
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(including the claims indicated to be allowable), and such amendments are not to be considered a representation, concession or acquiescence as to the patentability of the claims as presented prior to the amendments.

CONCLUSION

Applicant respectfully submits that this application is now in condition for substantive examination, which action is requested. Should the Examiner have any matters outstanding of resolution, he is encouraged to telephone the undersigned at 919-854-1400 for expeditious handling.

Respectfully submitted,

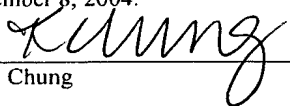


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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on November 8, 2004.


Katie A. Chung